1233-272 vmd

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of PE Co.

Peter FIELD et al.

Serial No. 08/800, 712

Examiner: D. Boucher

Group Art Unit: 3627

May 12, 2000

Filed: February 14, 1997

For: ELECTROMECHANICAL CYLINDER LOCK

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A PRIOR PATENT

Assistant Commissioner for Patents Washington, D.C. 20231

Sir:

Petitioner, Medeco Security Locks, Inc., through its undersigned authorized representative, represents that it is the assignee of the entire interest in the subject application, Serial No. 08/800,742, filed on the 14th day of February, 1997, for ELECTROMECHANICAL CYLINDER LOCK, and that an assignment to it has been recorded in the U.S. Patent and Trademark Office at Reel 8494 and Frame 0685.

Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C.

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05/15/2000 CV0111 02 FC:148 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 5,839,307. Petitioner hereby agrees that any patent so granted on said above-identified application shall be enforceable only for and during such period that it and the prior '307 patent are owned by a common entity. This agreement runs with any patent granted on the above-identified application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Petitioner does not disclaim any terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patents, as presently shortened by any terminal disclaimer, in the event that they later: expire for failure to pay a maintenance fee, are held unenforceable, are found invalid by a court of competent jurisdiction, are statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), have all claims cancelled by a reexamination certificate, are reissued, or are otherwise terminated prior to the expiration of their statutory term as presently shortened by any terminal disclaimer.

The undersigned has reviewed all assignments, chain of title, or other evidentiary documents accompanying or referred to in this Terminal Disclaimer and certifies to the best of the undersigned's knowledge and belief that title is in Petitioner.

The undersigned, whose title is supplied below, is empowered to act on behalf of Petitioner.

The undersigned hereby declares that all statements made herein of his/her own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

MEDECO SECURITY LOCKS, INC.

Vincent M. DeLuca

Attorney for Petitioner Registration No. 32,408

Date: May 12, 2000